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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/915,551

07/27/2001

Yoko Yamaga

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7381

7590

02/23/2005

JACOBSON, PRICE, HOLMAN & STERN
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 Washington, DC 20004

EXAMINER

NGUYEN, HUY D

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/915,551

Applicant(s)

YAMAGA, YOKO

Examiner

Huy D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,10,11,15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,10 and 11 is/are rejected.
- 7) ☒ Claim(s) 15 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-6, 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takagaki (U.S. Patent Application Publication No. US 2002/0065066) in view of Sood (U.S. Patent No. 6,697,632).

Regarding claims 1, 5, and 6, Takagaki teaches an information retrieval system comprising: a server to transmit at least one piece of audio and/or visual information in a limited space (see figure 2; paragraph [0035]); and a hand-held device capable of communication with the server in a communications area covered by the server, the hand-held device establishing communication with the server via specific communication means (e.g. receiver 12 and transmitter 11 in figure 2) when the hand-held device is located in the communications area and receiving the transmitted relevant information while the communication between the hand-held device and the sever is being established (see figure 2; paragraph [0035]). However, Takagaki fails to teach transmit relevant information in synchronism with the transmitted audio and/or visual information. The relevant information being related to the transmitted audio and/or visual information. In the same field of endeavor, Sood teaches the preceding limitation (see column 3, lines 57-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time

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the invention was made to apply the teaching of Sood to the teaching of Takagaki to instruct and synchronize the video and audio information.

Regarding claims 3 and 10, Takagaki teaches the information retrieval system according to claim 1, wherein the relevant information includes URL (Uniform Resource Locator) for accessing Web pages (paragraph 0033).

3. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takagaki (U.S. Patent Application Publication No. US 2002/0065066).

Regarding claims 4 and 11, bluetooth technology has been known in the art for standardizing wireless transmission between a wide variety of devices by creating a single digital wireless protocol for use by various mobile devices that need to keep data synchronized (i.e., consistent from one device to another. For example, see Kolls - U.S. Patent No. 6,615,186). Therefore, it would have been obvious to one of ordinary skill in the art to use bluetooth for the reason said above.

Allowable Subject Matter

4. Claims 15-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 15-16, the cited prior arts, either singularly or in combination, fail to further teach that the hand-held device is capable of having access to an information source different from the server, in order to gain a detailed information about the audio and/or visual information based on the received relevant information.

Please don't forget to include references and claims when you return a case for counting. Jean

I don't see any reason to object to claims 15 and 16 if you can reject claim 4. You should find something to reject these claims. Jean

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D Nguyen whose telephone number is 703-305-3283. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 703-306-0003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huy Nguyen